

18 OCT 2006

Commissioner for United States Patent and Trademar

Patent Department, RY60-30 P. O. BOX 2000

126 East Lincoln Avenue RAHWAY NJ 07065-0970

MERCK AND CO., INC.

In re Application of

Burkamp et al.

Application No.: 10/593,766

PCT No.: PCT/GB05/00548

Int. Filing Date: 16 February 2005 Earliest Priority Date: 20 February 2004

Attorney Docket No.: T1655P

Prodrugs Of Substituted Amino For:

Heterobicycles Which Modulate The Function

Of The Vanilloid-1 Receptor (VR1)

DECISION

ON

PETITION

The petition to revive under 37 CFR 1.137(b) filed 22 September 2006 in the abovecaptioned application is hereby **GRANTED** as follows:

Applicant states that "the entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional." This statement is being accepted in satisfaction of 37 CFR 1.137(b)(3).

A review of the application file reveals that applicants have paid the petition fee, and have filed the required reply in the form of the basic national fee. Thus, the requirements of 37 CFR 1.137(b) have been satisfied. Therefore, the request to revive the application abandoned under 35 U.S.C. 371(d) is granted as to the National stage in the United States of America.

The \$130.00 surcharge under 37 CFR 1.492(h) is being charged to counsel's Deposit Account No. 13-2755, as authorized by the "Communication Submitted With Petition..." filed on 22 September 2006.

This application is being forwarded to the United States Designated/Elected Office for further processing. The date of this application under 35 U.S.C. 371(c)(1), (2) and (4) is 22 September 2006.

George Dombroske PCT Legal Examiner

Office of PCT Legal Administration

Tel: (571) 272-3283 Fax: (571) 273-0459